



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,848	03/31/2000	James Aloysius Donnelly	AUS000116US1	9561

7590 09/30/2003

Joseph P Lally
Dewan & Lally LLP
P O Box 684749
Austin, TX 78768-4749

[REDACTED] EXAMINER

FLYNN, KIMBERLY D

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2153

DATE MAILED: 09/30/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/539,848	DONNELLY ET AL.	
	Examiner	Art Unit	
	Kimberly D Flynn	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
 - 2a) This action is **FINAL**. 2b) This action is non-final.
 - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- Disposition of Claims**
- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 - 5) Claim(s) _____ is/are allowed.
 - 6) Claim(s) 1-22 is/are rejected.
 - 7) Claim(s) _____ is/are objected to.
 - 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 - 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
 - 12) The oath or declaration is objected to by the Examiner.
- Priority under 35 U.S.C. §§ 119 and 120**
- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
 - 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
 - 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Goldstein (U.S. Patent No. 6,374,287, hereinafter Goldstein)

In considering claim 1, Goldstein discloses a system for allowing client processes to run on distributed window server extensions comprising:

a terminal including a display, a keyboard, and a pointing device (col. 3, lines 20-24);
a display server on the local host associated with a user of the terminal, wherein the display server enables the user to execute GUI application on the local and remote hosts from the terminal via a display server authorization mechanism (col. 3, lines 50-67 through col. 4, lines 1-9); and

wherein the network is configured to enable the user to execute a command entered at the terminal on the remote host via the display server (col. 4, lines 58-67 through col. 5, lines 1-5).

3. Claims 6-12, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Lefebvre.

In considering claim 6, Lefebvre discloses a distributed windowing system program product enabling remote execution in a data processing network including a local host and a remote host, the computer product comprising:

a display server on the local host, wherein the display server enables a user of a display terminal connected to the network to invoke local and remote GUI applications (col. 19, lines 18-23);

a client application on the local host connected to the display server and configured to receive a command string and, upon receiving the command string, to paste the command string to a clipboard (col. 19, lines 26-31); and

a daemon process on the remote host configured to retrieve the command string from the clipboard and further configured to initiate execution of the command on the remote host (col. 19, lines 35-39).

In considering claim 12, Lefebvre discloses a method of executing a command comprising:

creating a first window with a first process, and storing the first window's id as a property of a display server (see Lefebvre, col. 15, lines 37-42);

monitoring for alteration in the display server property with the first process (see Lefebvre, col. 15, lines 47-49);

entering a command string via a client application, wherein, upon receiving the command string, the client is configured to alter the display server property (see Lefebvre, col. 15, lines 42-43); and

upon detecting the alteration in the display server property, retrieving the text string and executing the text string as a command (see Lefebvre col. 15, lines 66-67 through col. 16, lines 1-6).

In considering claim 7-8, 10-11, and 21 Lefebvre further discloses wherein the daemon process is configured to open a display server window and to store a window id of the display window as the display server property (see Lefebvre, col. 15, lines 37-42); and wherein the client application is configured to change the display server property to zero upon receiving the command (see Lefebvre, col. 15, lines 60-65).

In considering claim 9, Lefebvre further discloses wherein the client application is enabled to transfer the received command to a clipboard associated with the display server window (see Lefebvre col. 19, lines 26-31); and wherein the daemon process is enabled to retrieve the command from the clipboard upon detecting a change to the display server property (see Lefebvre col.19, lines 35-39).

In considering claim 20, Lefebvre further discloses wherein the display server enables execution of local and remote GUI applications from a terminal served by the display server (see Lefebvre col. 19, lines 18-23).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldstein in view of Lefebvre.

In considering claim 2, while Goldstein discloses the system substantially as claimed Goldstein does not disclose wherein the local host includes a client application and the remote host includes a daemon process, and wherein the client application is enabled to receive the command from the user and the daemon process is configured to retrieve and execute the command. Nonetheless, the uses and advantages of the aforementioned limitations are well known features of The X Window System, which is a standard for implementing window-based user interfaces in a networked computer system as evidenced by Lefebvre in (col. 3, line 9-26).

In similar art Lefebvre discloses a system comprising a single logical screen computer display that uses multiple remote computer systems to perform hardware accelerated 3D graphic operations wherein the system includes a client process operable to receive and broadcast OGL command buffers and daemon processes operable to access the shared memory structures for the purpose accessing and executing the commands stored there.

Therefore, it would have been obvious to modify the system as disclosed by Goldstein to include the client application of the local host for receiving commands and the daemon process of the remote host configured to retrieve and execute commands taught by Lefebvre in order to

distribute the processing among multiple computers, thus; allowing each of them to perform additional functions. Therefore the teachings of Lefebvre would have been obvious modifications to the system as disclosed by Goldstein.

In considering claim 3, the combined system of Goldstein and Lefebvre further discloses wherein the daemon process is configured to monitor changes to a property of the display server (see Lefebvre, col. 15, lines 47-49); and further wherein the client application is configured to alter the display server property upon receiving the command (see Lefebvre, col. 15, lines 42-43).

In considering claim 4, the combined system of Goldstein and Lefebvre further discloses wherein the daemon process is configured to open a display server window and to store a window id of the display window as the display server property (see Lefebvre, col. 15, lines 37-42); and wherein the client application is configured to change the display server property to zero upon receiving the command (see Lefebvre, col. 15, lines 60-65).

In considering claim 5, the combined system of Goldstein and Lefebvre further discloses wherein the client application is enabled to transfer the received command to a clipboard associated with the display server window (see Lefebvre col. 19, lines 26-31); and wherein the daemon process is enabled to retrieve the command from the clipboard upon detecting a change to the display server property (see Lefebvre col.19, lines 35-39).

6. Claims 13-19and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefebvre in view of Goldstein.

In considering claim 13, while Lefebvre discloses the system substantially as claimed Lefebvre does not disclose wherein the client reside on a local host of the system, the first

process resides on a remote host of a multi-host data processing system, and the test string is executed as a command on the remote host. Nonetheless, the uses and advantages of the aforementioned limitations are well known features of The X Window System, which is a standard for implementing window-based user interfaces in a networked computer system as evidenced by Goldstein.

In similar art, Goldstein discloses wherein the client process resides on the local computer (see Goldstein Fig. 1, (121) and col. 3, lines 50-55) the first process resides on a remote host of a multi-host data processing system (see Goldstein Fig. 1, (145)), and the test string is executed as a command on the remote host (col. 4, lines 41-48). Therefore, it would have been obvious to modify the system as disclosed by Lefebvre to include the client process of the local host, the first process of the remote host, and the test string executed as a command on the remote host in order to allow the user to perform remote execution of commands. Therefore the teachings of Goldstein would have been obvious modifications to the system as disclosed by Lefebvre.

In considering claims 14 and 15, although the combined system of Lefebvre and Goldstein discloses the system substantially as claimed, it does not explicitly disclose wherein the command comprises a command shutting down the remote host and a command invoking an application residing on the remote host. However, the Examiner takes official notice that commands for shutting down the remote host and invoking an application residing on the remote host are notoriously well known in the art. A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying the combined system of Lefebvre and Goldstein to include the aforementioned commands in order to provide the user

with remote control of the application. Therefore, the aforementioned limitations would have been obvious modifications.

In considering claim 16, the combined system of Lefebvre and Goldstein further discloses wherein the command string is entered by a user of a terminal controlled by the display server (see Goldstein, col. 4, lines 58-62).

In considering claims 17, the combined system of Lefebvre and Goldstein further discloses wherein upon receiving the command string, the client is configured to store the text string in a clipboard associated with the first window (see Goldstein col. 8, lines 30-33).

In considering claim 18, the combined system of Lefebvre and Goldstein further discloses wherein retrieving the text string comprises retrieving the text string from the clipboard (see Goldstein col. 8, lines 58-62).

In considering claim 19, although the combined system of Lefebvre and Goldstein discloses the system substantially as claimed, it does not explicitly disclose wherein prior to creating the first window, logging into a local host of a multi-host computer system, wherein upon logging in, a windowing system initiates the display server and creates an authorization file associated with the user and by which applications connect to the display server. However, the Examiner takes official notice that a system initiating an authorization file for logging into a system is notoriously well known in the art. A person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying the combined system of Goldstein and Lefebvre to include the authorization file upon a user logging in to the system in order to protect the system from unauthorized users and to provide greater security. Therefore, the aforementioned limitations would have been obvious modifications.

In considering claim 22, the combined system of Lefebvre and Goldstein further discloses wherein the display server comprises an X server of an X window system (see Goldstein, col. 3, lines 56-58).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238, for After Final communications

(703) 746-7239, for Official communications

(703) 746-7240, for Non-Official/Drafts.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Kimberly D Flynn
Examiner
Art Unit 2153

KF
September 22, 2003



GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100